

REMARKS

Claims 2-14, 16-28, 30-32 and 34-41 are pending in the application. Claims 2-14, 16-28, 30-32 and 34-37 have been amended. Claims 1, 15, 29 and 33 have been canceled without prejudice or disclaimer. Claims 38-41 are newly added. Reconsideration of this application is respectfully requested.

It is noted with appreciation that the Office Action has indicated that claims 2, 16, 30 and 34 would be allowable if rewritten to include all the limitations of the base claim and of any intervening claims.

Dependent claims 2-14 have been amended to depend from new claim 38. Dependent claims 16-28 have been amended to depend from new claim 39. Dependent claims 30-32 have been amended to depend from new claim 40. Dependent claims 34 –37 have been amended to depend from new claim 41.

Also, dependent claims 2-13, 16-21, 23-27, 34-37 have been amended by changing “stored information” to “stored object information” for antecedent consistency with their respective independent claims. Further, dependent claims 11-14, 22, 25-28, 31, 32 and 37 have been amended by changing “database” to “object-state database” for antecedent consistency with their respective independent claims.

The Office Action rejects claims 1, 3-15, 17-29, 31-33 and 35-37 under 35 U.S.C 103(a) as unpatentable over U.S. Patent No. 5,960,170 to Chen et al., hereafter Chen, in view of U.S Patent No. 5,822,517 to Dotan, hereafter Dotan.

This rejection is moot since claims independent claims 1, 15, 29 and 33 have been canceled. Accordingly, it is submitted that the rejection of claims 1, 3-

15, 17-29, 31-33 and 35-37 under 35 U.S.C. 103(a) does not apply and should be withdrawn.

Newly presented claims 38-41 recite steps or elements that Chen does not teach or disclose. For example, independent method claim 38 recites the steps of providing an object-state database that stores state information of an object as it existed at a point in the past and providing a database comprised of virus-detection information. Chen does not disclose or teach an object-state database and a database that is comprised of virus-detection information. Claim 38 further recites:

“in the case that said object does not appear to have changed since said point in the past, but said virus-detection database does appear to have changed since said point in the past, programmatically examining said object for a presence of a computer virus while making use of the stored object information during the examination.”

Chen does not disclose or teach programmatically examining an object for a computer virus that has not changed since its object-state was recorded at a point in the past, but that the virus-detection database has changed, while using the stored object information. Accordingly, it is submitted that claims 38-41 distinguish from the cited art and are, therefore, allowable.

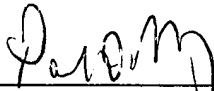
It is respectfully requested for the reasons set forth above that the rejection 35 U.S.C. 103(a) be withdrawn, that claims 2-14, 16-28, 30-32 and 34-41 be allowed and that this application be passed to issue.

For the reasons set forth above, it is submitted that this amendment places the application in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and passed to issue. If this

amendment is deemed to not place the application in condition for allowance, it is respectfully requested that it be entered for the purpose of appeal.

Respectfully Submitted,

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